

AMENDED IN SENATE AUGUST 16, 2012

AMENDED IN SENATE JUNE 11, 2012

AMENDED IN ASSEMBLY MAY 10, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2198**

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**Introduced by Assembly Member Nielsen  
(Coauthor: Assembly Member Atkins)**

February 23, 2012

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An act to amend Sections 972.1 and 974 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2198, as amended, Nielsen. Department of Veterans Affairs: reporting requirements.

Existing law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that comply with certain conditions. Existing law requires the Department of Veterans Affairs to annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans service officers, and requires the department to prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature on or before January 1 of each year.

This bill would extend the January 1 date specified above to October 1.

Existing law requires the Department of Veterans Affairs to annually prepare a report of the activities of county veterans service officers, as specified, and may require each county veterans service officer to submit information required to prepare the report.

This bill would revise the reporting requirements of the Department of Veterans Affairs to include the number of veterans and their family members who have contacted or utilized the services of the county veterans service offices during the fiscal year, the number of claims filed to achieve benefits on behalf of veterans and their dependents, the annualized monetary value of benefits received, and a summary of services provided and special events and activities in which county veterans service offices participated, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) It is the intent of the Legislature to increase awareness and  
4 accessibility to benefits that our state veterans have earned through  
5 service to our nation.

6 (b) It is the intent of the Legislature to increase the amount of  
7 federal benefits that California’s veterans receive.

8 (c) It is the intent of the Legislature to be provided as complete  
9 a picture as possible of the many ways that county veterans service  
10 offices provide services to California’s veterans.

11 (d) Therefore, it is necessary for county veterans service offices  
12 to provide data in addition to that now being provided to the  
13 Department of Veterans Affairs.

14 ~~SEC. 2. Section 972.1 of the Military and Veterans Code, as~~  
15 ~~amended by Section 1 of Chapter 183 of the Statutes of 2009, is~~  
16 ~~amended to read:~~

17 ~~972.1. (a) The sum of five hundred thousand dollars (\$500,000)~~  
18 ~~is hereby appropriated from the General Fund to the Department~~  
19 ~~of Veterans Affairs for allocation, during the 1989–90 fiscal year,~~  
20 ~~for purposes of funding the activities of county veterans service~~  
21 ~~officers pursuant to this section. Funds for allocation in future~~  
22 ~~years shall be as provided in the annual Budget Act.~~

1 ~~(b) Funds shall be disbursed each fiscal year on a pro rata basis~~  
2 ~~to counties that have established and maintain a county veterans~~  
3 ~~service officer in accordance with the staffing level and workload~~  
4 ~~of each county veterans service officer under a formula based upon~~  
5 ~~performance that shall be developed by the Department of Veterans~~  
6 ~~Affairs for these purposes.~~

7 ~~(c) The department shall annually determine the amount of new~~  
8 ~~or increased monetary benefits paid to eligible veterans by the~~  
9 ~~federal government attributable to the assistance of county veterans~~  
10 ~~service officers. The department shall, on or before October 1 of~~  
11 ~~each year, prepare and transmit its determination for the preceding~~  
12 ~~fiscal year to the Department of Finance and the Legislature. The~~  
13 ~~Department of Finance shall review the department's determination~~  
14 ~~in time to use the information in the annual Budget Act for the~~  
15 ~~budget of the department for the next fiscal year.~~

16 ~~(d) (1) The Legislature finds and declares that 50 percent of~~  
17 ~~the amount annually budgeted for county veterans service officers~~  
18 ~~is approximately eleven million dollars (\$11,000,000). The~~  
19 ~~Legislature further finds and declares that it is an efficient and~~  
20 ~~reasonable use of state funds to increase the annual budget for~~  
21 ~~county veterans service officers in an amount not to exceed eleven~~  
22 ~~million dollars (\$11,000,000) if it is justified by the monetary~~  
23 ~~benefits to the state's veterans attributable to the effort of these~~  
24 ~~officers.~~

25 ~~(2) It is the intent of the Legislature, after reviewing the~~  
26 ~~department's determination in subdivision (c), to consider an~~  
27 ~~increase in the annual budget for county veterans service officers~~  
28 ~~in an amount not to exceed five million dollars (\$5,000,000), if~~  
29 ~~the monetary benefits to the state's veterans attributable to the~~  
30 ~~assistance of county veterans service officers justify that increase~~  
31 ~~in the budget.~~

32 ~~(e) This section shall remain in effect only until January 1, 2016,~~  
33 ~~and as of that date is repealed.~~

34 ~~SEC. 3.~~

35 *SEC. 2.* Section 972.1 of the Military and Veterans Code, as  
36 amended by Section 2 of Chapter 183 of the Statutes of 2009, is  
37 amended to read:

38 972.1. (a) The sum of five hundred thousand dollars (\$500,000)  
39 is hereby appropriated from the General Fund to the Department  
40 of Veterans Affairs for allocation, during the 1989–90 fiscal year,

1 for purposes of funding the activities of county veterans service  
2 officers pursuant to this section. Funds for allocation in future  
3 years shall be as provided in the annual Budget Act.

4 (b) Funds shall be disbursed each fiscal year on a pro rata basis  
5 to counties that have established and maintain a county veterans  
6 service officer in accordance with the staffing level and workload  
7 of each county veterans service officer under a formula based upon  
8 performance that shall be developed by the Department of Veterans  
9 Affairs for these purposes, and that shall allocate county funds in  
10 any fiscal year for county veterans service officers in an amount  
11 not less than the amount allocated in the 1988–89 fiscal year.

12 (c) The department shall annually determine the amount of new  
13 or increased monetary benefits paid to eligible veterans by the  
14 federal government attributable to the assistance of county veterans  
15 service officers. The department shall, on or before October 1 of  
16 each year, prepare and transmit its determination for the preceding  
17 fiscal year to the Department of Finance and the Legislature. The  
18 Department of Finance shall review the department’s determination  
19 in time to use the information in the annual Budget Act for the  
20 budget of the department for the next fiscal year.

21 (d) (1) The Legislature finds and declares that 50 percent of  
22 the amount annually budgeted for county veterans service officers  
23 is approximately eleven million dollars (\$11,000,000). The  
24 Legislature further finds and declares that it is an efficient and  
25 reasonable use of state funds to increase the annual budget for  
26 county veterans service officers in an amount not to exceed eleven  
27 million dollars (\$11,000,000) if it is justified by the monetary  
28 benefits to the state’s veterans attributable to the effort of these  
29 officers.

30 (2) It is the intent of the Legislature, after reviewing the  
31 department’s determination in subdivision (c), to consider an  
32 increase in the annual budget for county veterans service officers  
33 in an amount not to exceed five million dollars (\$5,000,000), if  
34 the monetary benefits to the state’s veterans attributable to the  
35 assistance of county veteran service officers justify that increase  
36 in the budget.

37 (e) This section shall become operative January 1, 2016.

38 *SEC. 3. Section 972.1 of the Military and Veterans Code, as*  
39 *amended by Section 28 of Chapter 32 of the Statutes of 2012, is*  
40 *amended to read:*

1 972.1. (a) The sum of five hundred thousand dollars (\$500,000)  
2 is hereby appropriated from the General Fund to the Department  
3 of Veterans Affairs for allocation, during the 1989–90 fiscal year,  
4 for purposes of funding the activities of county veterans service  
5 ~~offices~~ *officers* pursuant to this section. Funds for allocation in  
6 future years shall be as provided in the annual Budget Act.

7 (b) Funds shall be disbursed each fiscal year on a pro rata basis  
8 to counties that have established and maintain a county veterans  
9 service-~~office~~ *officer* in accordance with the staffing level and  
10 workload of each county veterans service-~~office~~ *officer* under a  
11 formula based upon performance that shall be developed by the  
12 Department of Veterans Affairs for these purposes.

13 (1) For the purposes of this section, “workload unit” means a  
14 specific claim activity that is used to allocate subvention funds to  
15 counties, which is approved by the department, and performed by  
16 county veterans service-~~offices~~ *officers*.

17 (2) For the purposes of this subdivision, the department, by June  
18 30, 2013, shall develop a performance-based formula that will  
19 incentivize county veterans service-~~offices~~ *officers* to perform  
20 workload units that help veterans access federal compensation and  
21 pension benefits and other benefits, in order to maximize the  
22 amount of federal money received by California veterans.

23 (c) The department shall annually determine the amount of new  
24 or increased monetary benefits paid to eligible veterans by the  
25 federal government attributable to the assistance of county veterans  
26 service-~~offices~~ *officers*. The department shall, on or before ~~January~~  
27 *October* 1 of each year, prepare and transmit its determination for  
28 the preceding fiscal year to the Department of Finance and the  
29 Legislature. The Department of Finance shall review the  
30 department’s determination in time to use the information in the  
31 annual Budget Act for the budget of the department for the next  
32 fiscal year.

33 (d) The department shall conduct a review of the  
34 high-performing and low-performing county veterans service  
35 ~~offices~~ *officers* and based on this review, shall produce a  
36 best-practices manual for county veterans service-~~offices~~ *officers*  
37 by June 30, 2013.

38 (e) (1) The Legislature finds and declares that 50 percent of  
39 the amount annually budgeted for county veterans service-~~offices~~  
40 *officers* is approximately eleven million dollars (\$11,000,000).

1 The Legislature further finds and declares that it is an efficient and  
 2 reasonable use of state funds to increase the annual budget for  
 3 county veterans service ~~offices~~ *officers* in an amount not to exceed  
 4 eleven million dollars (\$11,000,000) if it is justified by the  
 5 monetary benefits to the state’s veterans attributable to the effort  
 6 of these ~~offices~~ *officers*.

7 (2) It is the intent of the Legislature, after reviewing the  
 8 department’s determination in subdivision (c), to consider an  
 9 increase in the annual budget for county veterans service ~~offices~~  
 10 *officers* in an amount not to exceed five million dollars  
 11 (\$5,000,000), if the monetary benefits to the state’s veterans  
 12 attributable to the assistance of county veterans service ~~offices~~  
 13 *officers* justify that increase in the budget.

14 (f) This section shall remain in effect only until January 1, 2016,  
 15 and as of that date is repealed.

16 SEC. 4. Section 974 of the Military and Veterans Code is  
 17 amended to read:

18 974. (a) The Department of Veterans Affairs shall annually  
 19 prepare a report of the activities of county veterans service officers,  
 20 and may require each county veterans service officer to submit  
 21 information required to prepare the report. The report shall include  
 22 the following:

23 (1) The number of veterans and their family members who have  
 24 contacted or utilized the services of the county veterans service  
 25 offices during the fiscal year.

26 (2) The number of claims filed to achieve benefits such as  
 27 pension, disability compensation, and ~~healthcare~~ *health care* on  
 28 behalf of veterans and their dependents.

29 (3) The annualized monetary value of benefits received by  
 30 veterans and their dependents as a result of the efforts of county  
 31 veterans service offices, broken down by type of benefit.

32 (4) A summary of other services provided by county veterans  
 33 service offices and special events and activities in which county  
 34 veterans service offices participated, such as veterans outreach  
 35 events, homeless veteran “Stand Downs,” and job fairs for veterans.

36 (b) The information required to be included in paragraphs (1)  
 37 to (3), inclusive, of subdivision (a) shall be set forth for each county  
 38 together with a statewide total.

39 (c) The department shall transmit a copy of the report to the  
 40 Department of Finance, the State Department of Health Care

- 1 Services, the California Veterans Board, and to each Member of
- 2 the Legislature.

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